

NOTICE OF EMERGENCY RULE PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

PROMULGATION: DMR Regulation 95.04 D3, Closed Area No. 36-B, Upper Bagaduce River, Town of Brooksville.

TEXT OF RULE: DMR Regulation 95.04 D3, Closed Area No. 36-B, Upper Bagaduce River, Town of Brooksville.

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the upper Bagaduce River in the following area:

That portion of the upper Bagaduce River that lies southerly of a line beginning at a red painted post on an unnamed point of land located 545 yards (line of sight) south from the western end (Brooksville side) of State Route 175-176 bridge, then running southeasterly approximately 160 yards across the cove to another red painted post on the closest unnamed point of land.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: March 25, 2004

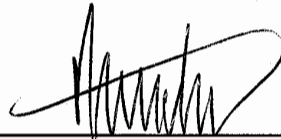
AGENCY CONTACT PERSON: Amy Fitzpatrick
Department of Marine Resources
194 McKown Point Road
West Boothbay Harbor, Maine 04575

BANGOR DAILY NEWS:
March 29, 2004

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources adopts this emergency rule DMR Regulation 95.04 D3, Closed Area No. 36-B, Upper Bagaduce River, Town of Brooksville, to prevent the taking of clams, quahogs, oysters and mussels from shores, flats and waters of the upper Bagaduce River, Town of Brooksville.

This is an administrative change that separates this area from the Penobscot and Bagaduce Rivers closure 36. This area remains closed to the harvesting of shellfish.



DAVID ETNIER
DEPUTY COMMISSIONER

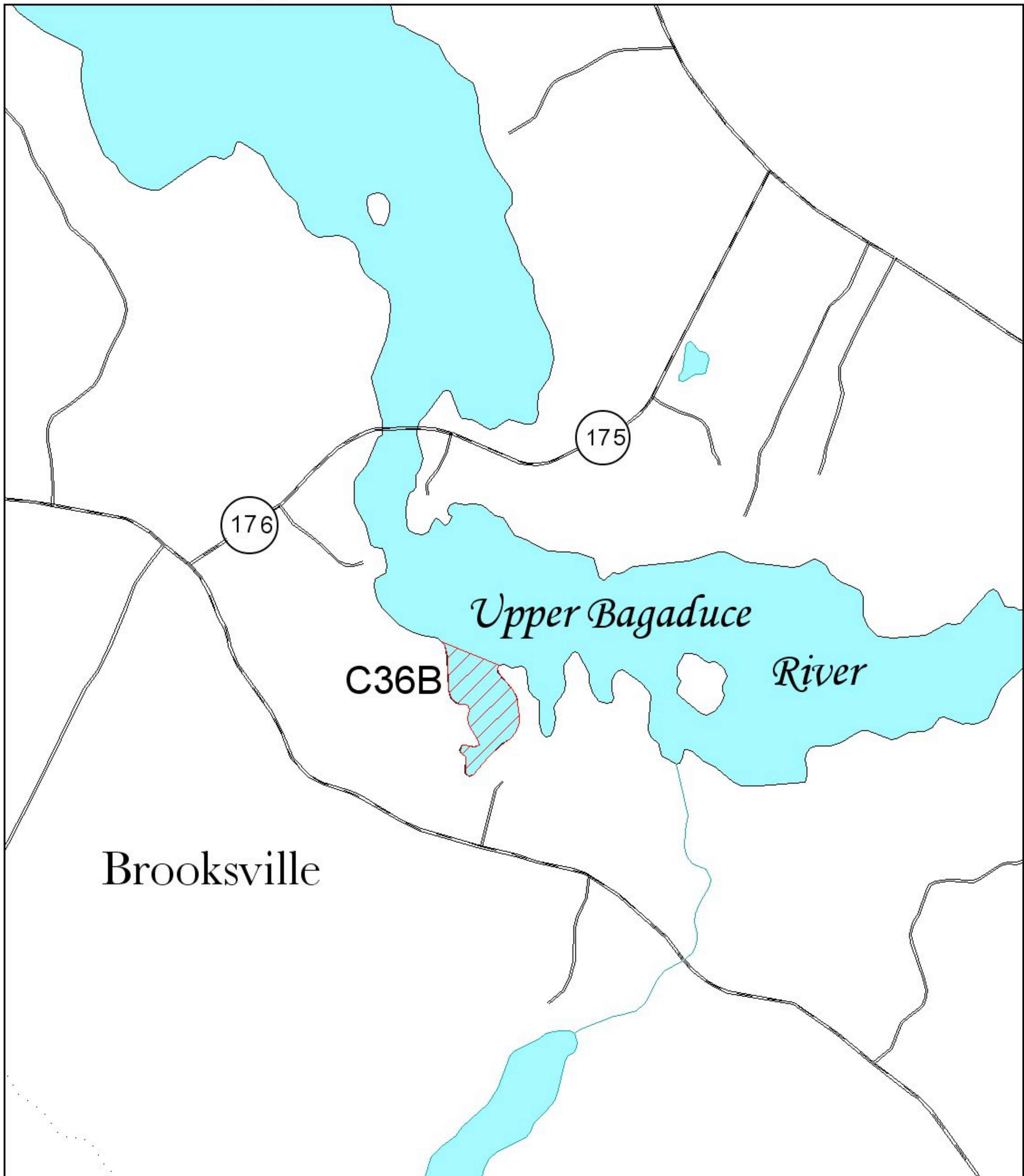


Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

For: Brooksville

C36B- Upper Bagaduce River 3/25/04



500 0 500 Yards

